## IAP6 Rec'd PCT/PTO 21 APR 2006

PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL LETTER TO THE UNITED STATES			ATTORNEY'S DOCKET NUMBER 5577-007			
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371			U.S. APPLICATION NO (If known, see 37 CFR 1.5)			
	TIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED			
PCT/E	EP2004/052641	22 October 2004	25 October 2003			
	INVENTION CAL NETWORK AND AMPLIF	TER NODE THEREFORE				
	NT(S) FOR DO/EO/US	TER NODE THERETORE				
	Steven	1 5 1 1/51 1 10/5 (50/56	2/10) (1. 6.1) - 1. (1			
Applicant	t herewith submits to the United St	ates Designated/Elected Office (DO/EC	O/US) the following items and other information:			
1. KX	This is a FIRST submission of items co	ncerning a submission under 35 U.S.C. 371	l			
I —		submission of items concerning a submission				
	(5), (6), (9) and (21) indicated below.	ional examination procedures (35 U.S.C. 37	1(f)). The submission must include items			
	The US has been elected (Article 31).					
5. XX	A copy of the International Application	, , , , , , , , , , , , , , , , , , , ,				
		I only if not communicated by the Internation	nai Bureau).			
	b. XX has been communicated by the International Bureau.					
	c. is not required, as the application was filed in the United States Receiving Office (RO/US).					
6. 🗀	· _	e International Application as filed (35 U.S.C	2. 37 ((C)(2)).			
	a. is attached hereto.  b. has been previously submitted under 35 U.S.C. 154(d)(4).					
7.		, , , ,	- 35 U.S.C. 371(c)(3))			
••	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))  a. are attached hereto (required only if not communicated by the International Bureau).					
-	b. have been communicated by the International Bureau.					
	c. have not been made; how	ever, the time limit for making such amendn	nents has NOT expired.			
	d. have not been made and will not be made.					
8.	An English language translation of the	ne amendments to the claims under PCT Ar	ticle 19 (35 U.S.C. 371(c)(3)).			
9. <b>XX</b>	An oath or declaration of the inventor	(s) (35 U.S.C. 371(c)(4)). ( júnsigned				
10.	An English language translation of th Article 36 (35 U.S.C. 371(c)(5)).	e annexes of the International Preliminary E	xamination Report under PCT			
Items	11 to 20 below concern document(s	e) or information included:				
11.	An Information Disclosure Statement	under 37 CFR 1.97 and 1.98.				
12. 🔲	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. XX	A preliminary amendment.					
14.	An Application Data Sheet under 37	CFR 1.76.				
15.	A substitute specification.					
16.	A power of attorney and/or change of	f address letter.				
17.	A computer-readable form of the seq	uence listing in accordance with PCT Rule 1	3ter.2 and 37 CFR 1.821- 1.825.			
18.	A second copy of the published Interest	national Application under 35 U.S.C. 154(d)	(4).			
19.	A second copy of the English language	ge translation of the international application	under 35 U.S.C. 154(d)(4).			

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Page 1 of 3 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO.∮(ifjknown, see	37 OF R(15)	INTERNATIONAL AP PCT/EP2004/05		ATTORNEY'S DO 5577-007	OCKET NUMBER
20. Other items or information:					
The following fees have been s	ubmitted			CALCULATIONS	PTO USE ONLY
21. Rasic national fee (37 CFR	1.492(a))		\$300	\$ 300.00	
22. XX Examination fee (37 CFR 1.	492(c))				
If the written opinion prepared by ISA/US by IPEA/US indicates all claims All other situations	\$ 200.00				
23. Search fee (37 CFR 1.492() If the written opinion of the ISA/US or the IPEA/US indicates all claims sat Search fee (37 CFR 1.445(a)(2)) has be International Searching Authorit International Search Report prepared by previously communicated to the All other situations	e Internationa isfy provision en paid on th / an ISA other JS by the IB.	s of PCT Article 33(1)-(4) e international application to than the US and provided to		\$ 400.00	
TOTAL OF 21, 22 and	23 =			900.00	
Additional fee for specification and of sequence listing in compliance we electronic medium) (37 CFR 1.4 The fee is \$250 for each addition					
	heets Number of each additional 50 or fraction thereof (round up to a whole number)				
- 100 = /50 =			x \$250	\$	
Surcharge of <b>\$130.00</b> for furnishing any after the date of commencement of the r			oath or declaration	\$	
CLAIMS NUMBER F	ILED	NUMBER EXTRA	RATE	\$	
Total claims 10	- 20 =	0	x \$50	\$	
ndependent claims 2	- 3 =	0	x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if a	pplicable)		+ \$360	\$	
		TOTAL OF ABOVE		\$ 900.00	
Applicant claims small entity status.	See 37 CFR	1.27. Fees above are reduc	ed by ½. SUBTOTAL =		
	\$ 900.00				
Processing fee of \$130.00 for furnishing claimed priority date (37 CFR 1.492(i)).	\$				
	\$ 900.00				
Fee for recording the enclosed assignment of the second second in the second sec	\$				
	\$ 900.00				
				Amount to be refunded:	\$
				Amount to be charged	\$

10/576640

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		10	BEARING CR ON A AM DIT LILL FOOD			
a. <b>KX</b>	A check in the amount of \$ 900.00	to cover the above f	ees is enclosed.			
ь. 🗆	Please charge my Deposit Account Noi A duplicate copy of this sheet is enclosed.	in the amount of \$	to cover the above fees.			
c. XX	The Commissioner is hereby authorized to charge any a Account No. $\underline{18-1167}$ . A duplicate copy of this she	additional fees which et is enclosed.	may be required, or credit any overpayment to Deposit			
d. 🗌	Fees are to be charged to a credit card. WARNING: Infibe included on this form. Provide credit card information		may become public. Credit card information should not on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND A	LL CORRESPONDENCE TO:	1	Jughed II			
	s & Bennett, PLLC	K	Stephen A. Herrera			
	Crescent Green, Suite 300 , NC 27511		NAME AT 640			
CUST	OMER NUMBER: 24112		47,642 REGISTRATION NUMBER			
	•					

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL CERTIFICATION LABEL NO.: EV 643633664 US

In re Application of:	
Pegg	

Serial No.: TBA

Filed: TBA

For: Optical Network and Amplifier Node

**Therefore** 

Docket No: 5577-007

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

**EXPRESS MAIL CERTIFICATE LABEL NO.: EV 643633664 US** 

DATE MAILED: April 21, 2006

I hereby certify that the enclosed Transmittal Letter to United States Designated/Elected Office Concerning a Submission Under 35 U.S.C. 371, WO 2005/041451, Declaration and Power of Attorney (unsigned), Preliminary Amendment, and our check number 17771 in the amount of \$900.00 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,

COATS & BENNETT, P/L.L.C

Dated: April 21, 2006

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